

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

RPFC.No. 179 of 2007()

MC.141/2006 of FAMILY COURT, THIRUVALLA
.....

REVN. PETITIONER/RESPONDENT

P.S.ALEXANDER @ JOSE, AGED 57 YEARS,
S/O. SAMUEL, PADINJAREMANNIL VEEDU,
THEKKEKARA MURI, KUMARAMPEROOR,
VADASSERIKKARA VILLAGE.

BY ADV. SRI.K.P.MUJEEB

RESPONDENT: PETITIONER

RAHELAMMA SAMUEL, W/O. SAMUEL,
AGED 60 YEARS, ERAPLACKAL VEEDU,
THAZHEVETIPRAM, PATHANAMTHITTA DISTRICT.

BY PUBLIC PROSECUTOR SRI.

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION
ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

R.P.(F.C.)No.179 of 2007

Dated this the 12th day of April, 2007

O R D E R

The revision petitioner who is the counter petitioner in M.C.No.141/06 has sought for setting aside the order of the court below to pay monthly maintenance at the rate of Rs.3,000/- to the petitioner from the date of petition i.e., 16.5.2006.

2. Counsel for the revision petitioner has sought for setting aside the order of the court below. It is submitted by the counsel for the revision petitioner that no evidence has been adduced in the matter and the matter was disposed on the basis of proof affidavit of complainant. It is also submitted that the petitioner has already deposited Rs.5,000/- towards the amount due. In the circumstances, the order of the court below is set aside on condition that the revision petitioner deposit a sum of Rs.10,000/- within two months from today onwards and continue to deposit at the rate of Rs.1,500/- per month. On deposit of Rs.10,000/-, the court below shall permit the parties to

adduce further evidence and dispose of the matter on merits.
Revision petitioner shall appear before the Family Court on
12.6.2007.

The revision petition is allowed.

**K.R.UDAYABHANU,
JUDGE**

csl